

### **REMARKS/ARGUMENTS**

Claims 1-5, 7-11, 14-37 and 39-49 are pending in the application. Claims 4, 10, 17, and 24 are amended. The amendments to the claims as indicated herein do not add any new matter to this application. Furthermore, amendments made to the claims as indicated herein have been made to exclusively improve readability and clarity of the claims and not for the purpose of overcoming alleged prior art.

### **CLAIM REJECTION—35 U.S.C. § 101**

Claims 14-25 were rejected under 35 U.S.C. § 101 because the claimed invention is allegedly not supported by either a specific and substantial asserted utility or a well established utility. This rejection is respectfully traversed.

35 U.S.C. § 101 requires that claimed processes be “useful,” but 35 U.S.C. § 101 does **not** require that the actual **claims recite** such usefulness or utility.

Furthermore, the systems recited in Claims 14-25 can be used to provide a framework for allowing software product builders to define and manage their respective software components through a declarative interface. This allows for more intelligent and integrated configuration prior to deployment at a customer site. The systems recited in Claims 14-25 move the burden of gathering and understanding necessary configuration information back to the software makers.

Thus, the systems recited in Claims 14-25 are useful and have specific utility. Inasmuch as this specific utility is asserted herein, Claims 14-25 are supported by a specific asserted utility. The Applicant respectfully requests that the rejections of Claims 14-25 under 35 U.S.C. § 101 be withdrawn.

CLAIM REJECTIONS—35 U.S.C. § 112, FIRST PARAGRAPH

Claims 14-25 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was allegedly not described in the specification in such a way as to enable one of ordinary skill in the art to practice the invention. This rejection is respectfully traversed.

One of ordinary skill in the art could, after reading the specification, make and use the systems that are recited in Claims 14-25 without undue experimentation. Anyway, even if the recited systems had no utility (and, as is discussed above, the recited systems **do** have utility), it would not logically follow that the specification failed to disclose how to make and use the invention. It is hypothetically possible for a specification to disclose how to make and use an invention that has no utility—that is not the case in the present application, however. The Applicant respectfully requests that the rejections of Claims 14-25 under 35 U.S.C. § 112, first paragraph, be withdrawn.

CLAIM REJECTIONS—35 U.S.C. § 102

Claims 1-5, 7-11, 14-37 and 39-49 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Published Application No. 2003/0033400 A1 (“Pawar”). This rejection is respectfully traversed.

Claim 1 recites, among other features, “a server configured to (a) register **each of the plurality of components**” and “(b) perform dynamic probing operations to identify configuration changes made to the configuration of **each of the plurality of components**.” The Applicants presume that the Office Action is analogizing the “plurality of components” to a plurality of Pawar’s intelligent agents, because Claim 1 requires that each of the plurality of components must store a configuration to which changes can be made. The “components” could not be

not be “communications between master CG and slaves SL,” for example, because such “communications” do not store a configuration to which changes can be made.

The Office Action also apparently analogizes the “server” to one of Pawar’s “intelligent agents,” because the Office Action says that it is an “intelligent agent” that performs the “dynamic probing operations” and that identifies “configuration changes.”

Thus, in order for the Office Action’s analogy to hold, the “intelligent agent” that the Office Action analogizes to the “server” of Claim 1 must also “register” **each of the plurality** of components—which the Office Action apparently analogizes to all of the other “intelligent agents.”

The Office Action points to Pawar’s paragraph [0017] as allegedly disclosing a server that “registers” each of the plurality of components. This paragraph actually says, “Communications between master CG and slaves SL may be authenticated using certificates and end-to-end encryption using SSL.” This authentication of communications clearly isn’t the same as “registering” the intelligent agents, as “registering” is understood by reference to the specification of the present application. But even if the “authentication” could be considered the same as “registering,” there is a more fundamental problem with the Office Action’s analogy.

The communications that are “authenticated” are not communications between two intelligent agents at all. The authenticated communications are between (a) the master CG and (b) a slave SL (on which an intelligent agent resides). Slave SL does not authenticate any “**plurality** of intelligent agents,” so slave SL clearly doesn’t “register each of the plurality of components.” There isn’t any intelligent agent that authenticates (allegedly “registers”) a **plurality** of other intelligent agents. None of Pawar’s intelligent agents can be the “server” of

Claim 1, because none of Pawar's intelligent agents registers or authenticates a **plurality** of components (presumably, the other intelligent agents).

On the other hand, Pawar's master CG cannot be the "server" of Claim 1, because Pawar's master CG does not "perform dynamic probing operations" as required by Claim 1. Indeed, the Office Action alleges that it is the "intelligent agents," rather than the master CG, that perform the "dynamic probing operations."

Thus, neither Pawar's master CG nor Pawar's intelligent agents can qualify as the "server" of Claim 1; the master CG does not perform the dynamic probing operations, and the intelligent agents do not register each of the plurality of components (presumably, other intelligent agents). Pawar does not disclose any server that performs all of the functions of the server that is recited in Claim 1.

Therefore, Claim 1 is patentable over Pawar under 35 U.S.C. § 102(e).

Claim 14 requires that the "management console" must comprise the "validator for validating." The Office Action alleges that the "intelligent agents" perform the "validating." However, Pawar's "intelligent agents" do not communicate with client modules that are associated with the components, as the "management console" of Claim 14 must. There is no "management console" in Pawar that both (a) comprises a validator and (b) communicates with client modules that are associated with components.

Therefore, Claim 14 is patentable over Pawar under 35 U.S.C. § 102(e).

Claim 26 requires the step of "retrieving the configuration of **each of a plurality of components** by communicating with a client modules residing **at each component of the plurality of components.**" Pawar does not disclose any entity that retrieves configurations from **each of a plurality of components**. Pawar's intelligent agents do not do so.

Therefore, Claim 26 is patentable over Pawar under 35 U.S.C. § 102(e).

The Applicant respectfully submits that all of the dependent claims are patentable over Pawar under 35 U.S.C. § 102(e) for at least the reasons discussed above in connection with the independent claims from which those dependent claim depend.

#### CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

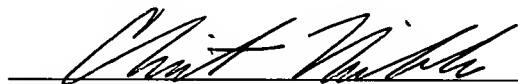
The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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